

1 LATHAM & WATKINS LLP
2 Peter A. Wald (Bar No. 85705),
3 peter.wald@lw.com
4 David M. Friedman (Bar No. 209214),
5 david.friedman@lw.com
505 Montgomery Street, Suite 2000
6 San Francisco, California 94111
7 Telephone: +1.415.391.0600
8 Facsimile: +1.415.395.8095

9 LATHAM & WATKINS LLP
10 Patrick E. Gibbs (Bar No. 183174),
11 patrick.gibbs@lw.com
12 Andrew M. Farthing (Bar No. 237565),
13 andrew.farthing@lw.com
14 140 Scott Drive
15 Menlo Park, California 94025
16 Telephone: +1.650.328.4600
17 Facsimile: +1.650.463.2600

18 Attorneys for Defendant
19 Ernst & Young LLP



20
21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN JOSE DIVISION

24 IN RE JUNIPER NETWORKS, INC.
25 SECURITIES LITIGATION

26 CASE NO. 5:06-CV-04327-JW

27 STIPULATION AND [PROPOSED] ORDER
28 REGARDING BRIEFING SCHEDULE AND
HEARINGS ON CERTAIN MOTIONS

Before: Hon. James S. Ware

1 WHEREAS, on March 25, 2010, Lead Plaintiff Filed a Motion for Modification
 2 of Discovery Plan to Extend Merits Discovery, and noticed the motion for hearing on May 3,
 3 2010 (Doc. 589);

4 WHEREAS, on April 2, 2010, this Court issued an Order Re Further Briefing
 5 Regarding Plaintiff's Objection to Magistrate Judge's Ruling, requiring Defendant Ernst &
 6 Young LLP ("EY") to respond to Plaintiff's Objection on or before April 9, 2010 and for
 7 Plaintiff to reply on or before April 14, 2010 (Doc. 594);

8 WHEREAS, on April 2, 2010, this Court held a preliminary settlement approval
 9 hearing regarding the settlement between Lead Plaintiff, the Juniper Defendants, and defendant
 10 Lisa C. Berry, at which the Court issued a tentative order to grant the Motion for Preliminary
 11 Approval, and took the matter under submission pending further order of the Court (Doc. 593);

12 WHEREAS, the settlement considered by the Court at the April 2, 2010 hearing
 13 did not include a settlement of the remaining claim against EY;

14 WHEREAS, on April 6, 2010, EY and Lead Plaintiff reached an agreement in
 15 principle to settle the claim asserted against EY;

16 WHEREAS, counsel for EY and Lead Plaintiff hope to include the settlement of
 17 the claim against EY in the same notice and final approval process as the settlement considered
 18 by the Court at the April 2, 2010 hearing;

19 WHEREAS, to that end, Lead Plaintiff anticipates filing a motion for preliminary
 20 settlement approval on or about **April 23, 2010**

21 WHEREAS, Lead Plaintiff and EY believe it will be most efficient for the parties
 22 and the Court to suspend briefing and argument on the pending discovery motions discussed
 23 above while the parties focus on presenting the settlement for preliminary approval;

24 NOW THEREFORE, the parties hereby stipulate, and request that the Court
 25 order, as follows:

26 1. Lead Plaintiff's Motion for Modification of Discovery Plan to Extend
 27 Merits Discovery, currently scheduled for hearing on May 3, 2010, is taken off-calendar;

28 2. Defendant EY need not file a response to Plaintiff's Objection to

1 Magistrate Judge's Ruling on April 9, 2010, and the Objection to Magistrate Judge's Ruling will
2 not be ruled upon unless and until EY submits a response;

3 3. Lead Plaintiff shall file its motion for preliminary approval of settlement
4 and submit a revised Proposed Order Preliminarily Approving Settlement and Providing for
5 Notice on or about **April 23, 2010**.

6 | IT IS SO STIPULATED.

7 | Dated: April 7, 2010

LATHAM & WATKINS LLP

By */s/ David M. Friedman*

Peter A. Wald
Patrick E. Gibbs
David M. Friedman
Andrew Farthing
Attorneys for Defendant
Ernst & Young LLP

Dated: April 7, 2010

LOWEY DANNENBERG COHEN & HART,
P.C.

By /s/ Barbara J. Hart

Barbara J. Hart
David C. Harrison
One North Broadway, 5th Floor
White Plains, NY 10601-2310
914-733-7228 (telephone)
914-997-0035 (facsimile)
Lead Counsel for Lead Plaintiff

SCHUBERT JONCKHEER & KOLBE LLP
Willem F. Jonckheer
Two Embarcadero Center, Suite 1650
San Francisco, CA 94111
Telephone: 415-788-4220
Local Counsel for Lead Plaintiff

IT IS SO ORDERED AS MODIFIED:

The Court set the Hearing on Preliminary Approval of Settlement on **May 3, 2010 at 9:00 AM**

Dated: April 13, 2010

al of Settlement on May 3, 2010 at 9:00 a.m.

James Ware

The Honorable James Ware

ATTESTATION

I, David M. Friedman, am the ECF user whose identification and password are being used to file the STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE AND HEARINGS ON CERTAIN MOTIONS. In compliance with General Order 45.X.B, I hereby attest that Barbara J. Hart concurs in this filing.

Dated: April 7, 2010

By: /s/ David M. Friedman